

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, D.C. 20268-0001

PERIODIC REPORTING
(PROPOSAL FOUR)

Docket No. RM2016-12

OPPOSITION OF THE UNITED STATES POSTAL SERVICE
TO PUBLIC REPRESENTATIVE MOTION SEEKING LEAVE
TO RESPOND TO REPLY COMMENTS
(November 23, 2016)

On November 22, 2016, the Public Representative moved for leave to file a response to the reply comments filed in this proceeding on November 14, 2016 by the Postal Service and Amazon Fulfillment Services. This followed a similar motion filed by UPS on November 21, 2016, seeking the same relief. The Postal Service filed its opposition to the UPS motion on November 22, 2016. Like UPS, the Public Representative fails to provide anything approaching adequate support for the exceptional relief sought, and the Postal Service likewise opposes the Public Representative's motion.¹

The Public Representative's support for the UPS motion further underscores the virtually trivial nature of the rationale offered for the requested deviation from normal procedures. The primary grounds offered by the Public Representative are simply that the reply comments of the Postal Service's and Amazon's Reply Comments were "extensive," and that the existing procedural schedule does not provide an opportunity for response. PR Motion at 1. These arguments, of course, would apply in virtually any contested docket of this nature. The Public Representative further asserts a belief that

¹ Since the background and much of the discussion provided in the Postal Service's opposition to the UPS motion is relevant to the Public Representative's motion as well, the Postal Service hereby incorporates that pleading by reference.

“the Postal Service and Amazon have also misconstrued important issues,” and that the Commission would benefit from learning the Public Representative’s response to criticisms made of its comments. *Id.* These reasons likewise are nothing more than a thinly-veiled attempt to allow the opponents of Proposal Four to get the last word, with no principled basis to justify that result. The Public Representative goes so far as to advance these attempts at rationalization even while conceding that his comments “were not subject to the same degree of criticism as UPS’s Comments.” *Id.* This admission thus undercuts the applicability of the stated concern regarding the alleged “extensive” nature of the reply comments.

Like UPS, the Public Representative has provided no suitable basis to alter the orderly conduct of proceedings previously established. Like the motion of UPS, his motion for leave to file further comments in this docket should be denied.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

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